

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:07 CR 69-12**

<b>UNITED STATES OF AMERICA,</b>	)	<b>ORDER CONCERNING FACTUAL BASIS</b>
)	)	
<b>Vs.</b>	)	
)	)	
<b>ROGER BEDENBAUGH,</b>	)	
)	)	
<b>Defendant.</b>	)	
)	)	

**THE DEFENDANT** came before the court on November 28, 2007 and participated in a Rule 11 inquiry whereby the defendant entered a plea of guilty to count one as contained in the Bill of Indictment, that being a charge that the defendant knowingly and willfully conducted and operated an illegal gambling business in violation of Title 18 U.S.C. § 1955. The undersigned has now been directed by the District Court to make inquiry of the defendant to determine whether or not there is a factual basis for the plea of guilty of the defendant.

The undersigned having made inquiry upon the record of the defendant who has been first duly sworn to tell the truth finds that in the above entitled matter that the defendant is fully competent and capable of entering an informed plea; that his plea of guilty to the charge contained in the Bill of Indictment is knowing and voluntary. The undersigned further finds that the plea of guilty is supported by an independent basis of fact containing each of the elements of the offense charged against the defendant in count one of the Bill of Indictment.

Accordingly, the undersigned accepts the plea of guilty to count one as contained in the Bill of Indictment and adjudges the defendant to be guilty of that offense.

This the 28 day of November 2007.

  
DENNIS L. HOWELL, UNITED STATES  
MAGISTRATE JUDGE